

c1 a field service unit configured to generate service requests for operational servicing of the medical diagnostic station, identifying a standard service function from a plurality of service functions and a unique identifier for the medical diagnostic station; and

a service facility configured to be coupled to the medical diagnostic station and to the field service unit via network links, the service facility including a service request management device for receiving the service requests from the field service unit, accessing data stored at the medical diagnostic station as defined by the standard service function, and transmitting data to the field service unit in response to the service request.

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8. (Amended) A system for accessing operational data from a medical diagnostic station, the system comprising:

c2 an automated service facility including a server configured to recognize and execute a plurality of predefined service functions, the service functions each including accessing operational data for a medical diagnostic station; and

a field service unit configured to be coupled to the automated service facility via a network link, to generate service requests, and to transmit the service requests to the automated service facility for operational servicing of the medical diagnostic station, each service request including identification of a predefined service function and an identification of at least one medical diagnostic station.

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16. (Amended) A method for remotely obtaining operational data from a medical diagnostic station, the method comprising the steps of:

c3 composing a service request on a field service unit, the service request including identification of a service function from a plurality of predefined service functions and a medical diagnostic system of interest, the service request relating to operational servicing of the medical diagnostic system;

transmitting the service request to an automated service facility;

accessing operational data from the medical diagnostic system of interest via the automated service facility as defined by the at least one service function; and

c3 transmitting data based on the accessed data from the automated service facility to the field service unit.

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23. (Amended) A method for providing remote service to a plurality of medical diagnostic systems, the method comprising the steps of:

c4 establishing a menu of predefined service functions;

composing a service request on a field service unit for operational servicing of a medical diagnostic system of interest, the service request including identification of at least one of the predefined service functions and the medical diagnostic system of interest;

transmitting the service request to an automated service facility;

executing the service function for the medical diagnostic system of interest; and

transmitting a response message to the field service unit;

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### **REMARKS**

In the Office Action, claims 1-28 were rejected. By the present Response, claims 1, 8, 16 and 23 are amended. Upon entry of the amendments, claims 1-28 will remain pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

### **Provisional Double-Patenting Rejection**

Applicants note that the pending claims have been rejected under the judicially created doctrine of double-patenting. Applicants will consider filing of a Terminal Disclaimer to overcome the double-patenting rejection following an indication from the Examiner that the claims are otherwise allowable over the prior art.

**Rejections Under 35 U.S.C. § 102**

Claims 1-28 were rejection under 35 U.S.C. §102(e) as anticipated by Jago et al. A *prima facie* case of anticipation under 35 U.S.C. § 102 requires a showing that each limitation of a claim is found in a single reference, practice or device. *In re Donohue*, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

The pending claims are not anticipated by the Jago et al. reference for the reasons summarized below. It is noted that independent claims 1, 8, 16 and 23 have been amended by the present Response. The amendments are intended to more distinctly recite that the service requests that are configured or transmitted by the field service unit relate to operational servicing of the medical diagnostic station or system recited in the claims.

In response to the arguments submitted by the Applicants in previous Office Action Responses, the Examiner indicated that, as broadly interpreted, the present claims were considered to read on various types of field service units and service requests. Such broad interpretation is not considered appropriate in view of the specification of the present application, particularly in consideration of the additional recitations added to the independent claims by the present Response.

The Jago et al. reference discloses an ultrasound system that is coupled to an SMTP server for providing images via a network, such as the Internet. In formulating the rejection of claim 1, therefore, the Examiner identified the browser 100 in Figure 1 as "a field service unit configured to generate service requests." The Examiner cited passages in column 9 of the Jago et al. reference in support of this point. The passages in column 9, however, simply indicate that physicians may request *images* from the system and access the images remotely. Nothing in the passage or in the document itself, relates in any way to *operational servicing* of the medical diagnostic station itself, or to the generation of service requests for such operational servicing, or to identification of a

standard service and a unique identifier of the medical diagnostic station in such a request. Accordingly, for this reason alone, claim 1 is clearly patentable over the Jago et al. reference.

Moreover, in view of the fact that Jago et al. do not disclose or suggest formulation of service requests relating to operational servicing of a medical diagnostic station, the reference similarly cannot anticipate the third major component of claim 1. That is, the reference simply does not relate to receiving service requests which pertain to operational servicing of a medical diagnostic station, or transmitting requested data to a field service unit. The Examiner relied on several passages from the reference to support the contention that Jago et al. discloses such features. However, upon careful examination, none of the passages in any way relates to operational servicing of a medical diagnostic station. Rather, all of the passages relate to the exchange of images, reports, and the like, none of which relate to operational servicing of a medical diagnostic station as described clearly in the present application.

While, superficially, the term "service" may be broadly read by the Examiner, it is improper in situations where the Applicants clearly specify a desired interpretation, to so broadly construct a claim term. Rather, a special meaning has been provided to the term "service request" throughout the present application, such as in a passage beginning on page 4 of the application, line 30 - line 24 of page 5. Many other passages of the application relate to particular service requests. It is the ability of field service personnel to formulate these requests and to transfer them for handling data exchange with the particular diagnostic station of interest that is, among other things, entirely new in the present invention. The Examiner is invited to refer to a passage of the application beginning on page 9, line 22 - page 14, line 23 for a clear description of the type of field service which is afforded by the claimed system and method. Again, at least because the elements of claim 1 discussed above, particularly relating to the generation and exchange of service requests for operational servicing of a medical diagnostic station, are

completely absent from the Jago et al. reference, claim 1 and the claims depending therefrom are clearly allowable over the reference. Reconsideration and allowance of claims 1-7 are therefore requested.

The Examiner did not address any of claims 8-28 with any specificity. Applicants note that claim 8 has been amended by the present Response to add that the service requests recited in the claim are for operational servicing of the medical diagnostic station. It is respectfully submitted that the Jago et al. reference, as noted above, in no way describes or even suggests service functions, service requests, or the like as appropriately interpreted in view of the amendments to claim 8 and the present specification. It is again stressed that the claims must be interpreted in view of the specification, and not in the manner set forth in the Examiner's Response to Arguments. Claim 8 and the claims depending therefrom are therefore believed to be clearly allowable over the cited reference.

Claim 16, also not addressed with specificity by the Examiner in the Office Action, has been similarly amended to indicate that the service request relates to operational servicing of the medical diagnostic system. As noted above, the steps recited in claim 16 are not disclosed or even suggested by Jago et al. reference, particularly to the extent that they relate to composing a service request on a field service unit that relates to operational servicing of a medical diagnostic system. Rather, as noted above, the Jago et al. reference merely teaches accessing images, reports, and the like remotely. No service request is composed on a field service unit, or transmitted to a service facility from a field service unit as recited in claim 16. Claim 16 and the claims depending therefrom are therefore believed to be clearly allowable over the Jago et al. reference.

Finally, independent claim 23, which was also not addressed with any specificity by the Examiner, is believed to be clearly allowable, particularly in view of the interpretation set forth by the present amendment. Claim 23 has been amended to add